

AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 19, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-34254 - APPLICANT/OWNER: RIVER OF LIFE MINISTRIES, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 15, 2009 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-2/rt/bg vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Prior to issuance of a certificate of occupancy for the church, the applicant shall provide a letter to the Planning and Development Department from their service provider confirming that curb-side trash pickup is acceptable. If such letter cannot be provided, a trash enclosure meeting all requirements of Title 19.08 shall be provided on the site.
2. Conformance to the conditions for Special Use Permit (SUP-34255), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan date stamped 05/11/09 and building elevations, date stamped 04/22/09, except as amended by conditions herein.
5. A Waiver from Title 19.12 Landscape and Buffer Standards to allow a zero-foot landscape buffer along a portion of the south perimeter where eight feet is the minimum required is hereby approved, if approved.
6. An Exception from Title 19.12 Landscape Buffer Standards to allow 62 trees where 82 are required along the perimeter of the entire site is hereby approved, if approved.
7. An Exception from Title 19.10 Parking, Loading and Traffic Standards to allow zero trees where two trees are required for landscape islands at the end of each row is hereby approved, if approved.
8. The landscape plan shall be revised prior to or at the time of submittal for building permit to indicate a species for the indicated 24-inch box deciduous or evergreen trees, prior to issuance of Building Permits.

9. The landscape plan shall be revised prior to or at the time of submittal for building permit to include, 24-inch box Italian Cypress trees planted every five feet on center to be located north and west of the proposed paved driveway, prior to issuance of Building Permits.
10. The site plan shall be revised prior to or at the time of submittal for building permit to include a compliant ADA accessible route prior to issuance of building permits, if approved.
11. The existing "well house" structure shall obtain all necessary permits and final inspections prior to issuance of a certificate of occupancy for the principle building, if approved.
12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
13. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
14. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
15. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
17. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
18. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Construct a new driveway north of the existing driveway that meets the intent of Standard Drawing #222A and remove the existing driveway prior to the occupancy of this site. Coordinate with the Traffic Engineering representative in Land Development for assistance in the driveway design and location.
21. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
22. Entry gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular hours of operation. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.
23. This site shall connect to the City of Las Vegas sewer in Rainbow Boulevard prior to the occupancy of this site.
24. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
25. Sign and record a Covenant Running with Land agreement for the possible future installation of Transportation Trail improvements conforming to the requirements of the Las Vegas 2020 Master Plan, Transportation Trails Element on Rainbow Boulevard adjacent to this site prior to the issuance of any permits.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the conversion of an existing 5,313 square-foot single-family residence to a Church/House of Worship with a Waiver of the perimeter landscape buffer standards to allow a zero-foot landscape buffer along a portion of the southern property line where eight feet is the minimum required at 5300 North Rainbow Boulevard.

The proposed development is compatible with the adjacent R-E (Residence Estates) zoned properties that surround the subject site. Furthermore, the requested Waiver can be supported as the driveway accessing the subject site is a pre-existing condition. Therefore, staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/06	The City Council approved a General Plan Amendment (GPA-14304) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from R (Rural Density Residential) to M (Medium Density Residential), Rezoning (ZON-14308) from R-E (Residence Estates) to R-3 (Medium Density Residential), Variance (VAR-14309) to allow a residential adjacency setback of 10 feet in the side yard area and 23 feet in the rear yard where 87 feet is the minimum setback required and a Site Development Plan Review (SDR-14306) for a 68-unit condominium development and a Waiver of perimeter landscape buffer requirements on 3.52 acres at 5300 North Rainbow Boulevard.
02/13/09	A deed was recorded for a change in ownership at 5300 North Rainbow Boulevard.
06/11/09	The Planning Commission recommended approval of companion item SUP-34255 concurrently with this application. The Planning Commission voted 5-2/rt/bg to recommend APPROVAL (PC Agenda Item #34/bts).
<i>Related Building Permits/Business Licenses</i>	
1984	The County Assessor's Office indicates a construction date of 1984.
<i>Pre-Application Meeting</i>	
04/07/09	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review and Special Use Permit applications. <ul style="list-style-type: none">• Waivers and exceptions for landscaping were discussed.• The conversion of a single-family dwelling into a Church/House of Worship was discussed.• On-site parking requirements were discussed for the intended use.• Public Works, Fire and Traffic concerns were also discussed.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application nor was one held.	
<i>Field Check</i>	
05/07/09	<p>A field check was completed on the indicated date. The following items were noted:</p> <ul style="list-style-type: none"> • An existing 5,313 square-foot single-family residential home. • Three existing block walls on the east, north and south property lines. • An enclosed well site adjacent to the north property line.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.52 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Dwelling	MLA (Medium Low Attached Density Residential)	R-E (Residence Estates)
North	Child Care Facility and Single-Family Dwelling	R (Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single-Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single-Family Dwelling	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District – (200-foot)	X		Y
Trails – (Multi-Use Non-Equestrian Trail)	X		N
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following development standards are proposed:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	153,331 SF	Y
Min. Lot Width	100 Feet	270 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front (west property line) • Side (north property line) • Side (south property line) • Rear (east property line) 	50 Feet 10 Feet 10 Feet 35 Feet	239 Feet 95.8 Feet 89.5 Feet 256 Feet	Y Y Y Y
Max. Lot Coverage	N/A	5%	Y
Max. Building Height	2 stories or 35 feet, which ever is less	15.2 feet	Y
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12 Landscape and Buffer Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	2 Trees	Zero Trees	N
Buffer:				
Min. Trees				
(Front: west property line)	1 Tree/30 Linear Feet	8 Trees	11 Trees	Y
(Side: north property line)	1 Tree/20 Linear Feet	29 Trees	28 Trees	Y
(Side: south property line)	1 Tree/20 Linear Feet	29 Trees	9 Trees	N
(Rear: east property line)	1 Tree/20 Linear Feet	14 Trees	14 Trees	Y
TOTAL		82 Trees	62 Trees	N
Min. Zone Width				
(Front: west property line)	15 Feet		15 Feet	Y
(Side: north property line)	8 Feet		8 Feet	Y
(Side: south property line)	8 Feet		Zero Feet	N
(Rear: east property line)	8 Feet		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	

Church/House of Worship	1,011 SF	1 space per 100 SF of gathering room	10	1	10	1	Y
TOTAL			11		11		Y

Waivers		
Requirement	Request	Staff Recommendation
South landscape buffer: 8 Feet	South landscape buffer: Zero Feet	Approval
Exceptions		
Requirement	Request	Staff Recommendation
Six trees in the landscape fingers every six spaces	To allow zero trees in the landscape fingers every six spaces	Approval
80 trees are required along the perimeter of the overall site	To allow 62 trees along the perimeter of the overall site	Approval

ANALYSIS

- **Site Plan**

The applicant is proposing to convert an existing single-family residence to a Church/House of Worship on 3.52 acres at 5300 N. Rainbow Boulevard. The site plan indicates a 5,313 square-foot Church/House of Worship. No additional square-footage is being added to the existing building. A trash enclosure is not indicated on the site plan. The applicant has indicated that a trash enclosure is not needed, and that the Church/House of Worship will utilize curb side service for regular trash pick-up. A well site is also included on the subject site. A condition of approval has been included, which requires the well site to obtain proper building permits. The site plan also indicates three, existing six-foot tall block walls, which are located on the perimeter of the subject site. Access to the site is provided from Rainbow Boulevard, which is designated as a 100-foot Primary Arterial on the Master Plan of Streets and Highways.

The proposed 5,313 square-foot Church/House of Worship includes one building and 11 associated parking spaces, including one handicapped accessible spaces. An ADA accessible route is also not included on the site plan. A condition of approval has been added, which requires a compliant ADA route. Planning and Development has included a condition of approval, which requires 24-inch box Italian Cypress trees to be located on the north and west side of the paved driveway. The placement of the Italian Cypress will eliminate any overflow parking on undeveloped areas on the west side or south side of the proposed Church/House of Worship.

- **Landscape Plan**

The submitted landscape plan indicates 24-inch box evergreen or deciduous trees and five gallon Privot or Juniper shrubs. A specific tree species is not indicated on the site plan, therefore a condition of approval has been added, which requires the landscape plan to be revised to include a species. A site inspection concluded that there are zero trees and two existing shrubs located on the subject site. The applicant is deficient regarding Title 19.10 and 19.12 requirements for landscaping. The applicant has requested one Waiver and two Exceptions. The landscape Waiver can be supported as the existing driveway that affects the required eight-foot buffer is a pre-existing condition. The two Exceptions are relatively minor in nature and relate to the existing driveway. Staff is recommending approval of all requested Waivers and Exceptions of both Title 19.10 and 19.12 requirements.

The landscape plan does not depict the trail required by the Las Vegas 2020 Master Plan, Transportation Trails Element along Rainbow Boulevard. The trail, if provided at this time, would not extend beyond the boundary of the subject site, and would have to transition back to existing sidewalks at both the north and south boundaries of the site. A condition has been added to require that a covenant running with the land be recorded for the future installation of the required trail.

- **Elevations**

The elevations indicate a 15.3-foot tall building. The structure was built as a single-family dwelling. The elevations will remain relatively unchanged with a few minor upgrades. The submitted building elevations indicate the addition of new windows, doors and new stucco to match the existing building. Also, the applicant complies with all applicable Residential Adjacency Standards as set forth in Title 19.08.060.

- **Floor Plan**

The floors plan once functioned as a 5,313 square-foot single-family home. The revised floor plan will accommodate a proposed Church/House of Worship. The floor plan indicates offices, classrooms, storage areas, gathering room and ancillary uses such as restrooms, kitchen and laundry room. No additional square-footage is being added to the existing structure.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed development is compatible with adjacent residential development and commercial development in the area and is typical of other Church/House of Worships in the City. The proposed elevations indicate minor improvements to the exterior of the building, while maintaining an overall appearance of a single-family residence.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development complies with all applicable standards except for the Landscape Buffer Standards. The zero-foot portion of the Landscape Buffer along the southern property line is appropriate as the existing driveway affects this portion of the required eight-foot landscape buffer.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The site is accessed from Rainbow Boulevard, which is designated by the Master Plan of Streets and Highways as a 100-foot Primary Arterial and will provide adequate access to the proposed use. A minimal impact to neighborhood traffic will occur as a result of this request.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed building and landscape materials, as conditioned, are appropriate for this area and for the City. The proposed landscaping utilizes common xeriscape planting methods found in many other developments in the City. The proposed building materials are also consistent with the original residential developments, while upgrading the existing doors, stucco and windows.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The overall building elevations and design characteristics for proposed Church/House of Worship will remain unchanged, except for the addition of new windows, doors and stucco. The proposed Church/House of Worship will maintain its overall character of a single-family home, thereby remaining compatible with adjacent and surrounding residential developments in the area and the City of Las Vegas.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 as shown to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 567 by City Clerk

APPROVALS 1

PROTESTS 1